



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GATSBY FRIMPONG

Plaintiff,

- against -

EVERYREALM INC., et al.,

Defendants.
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22-CV-10487 (GHW) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

Pursuant to the conference held by Microsoft Teams on January 24, 2023, the Court ordered as follows:

1. The Defendants will proceed with filing a motion to compel arbitration and/or a motion to dismiss pursuant to Federal Rule of Civil Procedure 12 addressing whether the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act bars arbitration of Plaintiff's sexual harassment claims, as well as Defendants' arguments that the complaint fails to state a claim for sexual harassment or other grounds as may be applicable to each of the separate Defendant entities and persons.

2. Defendants shall file their motions by **February 8, 2023**. Plaintiff shall file his opposition to the motions by **March 9, 2023**. Defendants shall file their replies, if any, by **March 22, 2023**.

3. Defendants shall defer filing of their proposed sanctions motion until after resolution of the motions described above.

4. No further action is to be taken in the pending arbitration as between Plaintiff and Defendants, unless and until the Court has held that arbitration may proceed. Plaintiff shall not be required to appear or respond in the arbitral proceeding while the motions described above are pending or as otherwise ordered by the Court. By **January 26, 2023**, defense counsel shall notify the American Arbitration Association of this order.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', written over a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: January 24, 2023
New York, New York

Copies transmitted this date to all counsel of record.